



**Hahai Pono i ke Ala Kukui me ka Huli Ao**

*Pursue the Path of Enlightenment Through Justice*

NATIVE HAWAIIAN LAW TRAINING COURSE

## SPEAKER BIOGRAPHIES

June 22 & 29, 2022

### DAY 1 – THURSDAY, DEC. 2, 2021

**Davianna Pomaika'i McGregor, Ph.D.**, is a professor and founding member of the Department of Ethnic Studies at the University of Hawai'i, Mānoa. She is also the director of the department's Center for Oral History. She is a historian of Hawai'i and the Pacific. Davianna grew up in the 'ili of Kaiwi'ula, Kapālama O'ahu and spent summers with grandparents in Waiākea, Hilo, Hawai'i. She currently resides on O'ahu and Moloka'i. As a member of the Protect Kaho'olawe 'Ohana, she helps to steward the lands of Kaho'olawe – Kohemālamalama O Kanaloa. Davianna is part of a team led by Lawai'a Loea (Master Fisherman) Mac Poepoe and Hui Mālama O Mo'omomi to establish a Community-Based Subsistence Fishing Area along the Mo'omomi northwest coast of the island of Moloka'i. Her ongoing research endeavors focus on documenting traditional Hawaiian cultural customs, beliefs, and practices in rural Hawaiian communities, including the island of Moloka'i, the districts of Puna and Ka'ū on Hawai'i Island, Ke'anae-Wailuanui on Maui and Waiāhole-Waikāne on O'ahu. Her publications include *Nā Kua'aina: Living Hawaiian Culture* (2007); "Recognizing Native Hawaiians: Reality Bites" in *Sovereign Acts: Contesting Colonialism Across Indigenous Nations and Latinx America* (2017) and "Sites of Resistance to Imperialism" in *Finding a Path Forward: Asian American Pacific Islander National Historic Landmarks Theme Study* (2017).

**Melody Kapilialoha MacKenzie** is Founding Director and Professor Emerita at Ka Huli Ao Center for Excellence in Native Hawaiian Law, William S. Richardson School of Law, University of Hawai'i at Mānoa. After receiving her law degree, Professor MacKenzie served as a law clerk to Chief Justice William S. Richardson of the Hawai'i Supreme Court. She then joined the staff of the Native Hawaiian Legal Corporation, a public interest law firm protecting and advancing the rights of Native Hawaiians, and served as its Executive Director and as a senior staff attorney. Professor MacKenzie is editor-in-chief and author of four chapters in *NATIVE HAWAIIAN LAW: A TREATISE*. She is also a contributor to the most recent edition of Cohen's *Handbook of Federal Indian Law*. Her latest articles include *A Collective Memory of Injustice: Reclaiming Hawai'i's Crown Lands Trust in Response to Judge James S. Burns* (co-authored with Prof. D. Kapua'ala Sproat); *Ke Ala Loa – The Long Road: Native Hawaiian Sovereignty and the State of Hawai'i*; *Ke Ala Pono – The Path of Justice: The Moon Court's Native Hawaiian Rights Decisions*; and *Hawaiian Custom in Hawai'i State Law*. She has worked on cases asserting Hawaiian traditional and customary rights, dealing with quiet title and land issues, and defending the constitutionality of Native Hawaiian programs. In 2013, Professor MacKenzie was awarded the University Regents' Medal for Excellence in Teaching and, most recently, she

served as Acting Dean of the Law School in Fall 2017. She teaches Native Hawaiian Rights, Federal Indian Law, topics in Native Hawaiian Law, and legal writing courses.

**David M. Forman** is Director of the Environmental Law Program, and Faculty Specialist with Ka Huli Ao. He joined the Law School as a full-time member of the faculty in 2010. His first exposure to Native Hawaiian history and culture took place under the Moloka'i Ana program run by kumu Bill Wallace at Maunaloa Elementary School from 1974-1976, in addition to walking the Ala Loa and learning about traditional and customary practices from Uncle Water Ritte and other aloha 'āina warriors, including Dr. Emmett Aluli, Professor Davianna McGregor, and many others who were involved in Protect Kaho'olawe 'Ohana organizing efforts at Hale o Lono Harbor. After returning to O'ahu, David became the first student that Lili'uokalani Elementary School Principal Ted Kalua succeeded in getting admitted to the University Laboratory School—where David studied 'Ōlelo Hawai'i and learned about Native Hawaiian culture from 'Anake Olga Kalama and 'Anakala Noah Kalama. He was also part of the very first class to learn Hawaiian History as part of the public schools' Social Studies curriculum. David later became the first student in the history of Harvard College to pass the school's second language requirement with 'Ōlelo Hawai'i.

David graduated from the William S. Richardson School of Law in 1993, then spent nearly three years clerking with the Honorable Robert G. Klein of the Hawai'i Supreme Court from 1994-1996. During that period, he performed substantial research and drafted opinions for the Hawai'i Supreme Court in numerous cases including: *Public Access Shoreline Hawaii v. Hawai'i County Planning Comm'n*, 79 Hawai'i 425 (1995); *Aged Hawaiians v. Hawaiian Homes Comm'n*, 78 Hawai'i 192 (1995); and *Pele Defense Fund v. Puna Geothermal Venture*, 77 Hawai'i 64 (1994). He was appointed to serve on the Hawai'i Advisory Committee to the U.S. Commission on Civil Rights in 1995, where he worked on the "Reconciliation at a Crossroads" report under the leadership of Uncle Charlie Maxwell, who David then succeeded as Chairperson (2002-2006). His latest publication in the University of Hawai'i Law Review is entitled *Applying Indigenous Ecological Knowledge for the Protection of Environmental Commons: Case Studies from Hawai'i for the Benefit of "Island Earth."*

DAY 2 – WEDNESDAY, JUNE 29, 2022

**D. Kapua‘ala Sproat** is the director of Ka Huli Ao Center for Excellence in Native Hawaiian Law. She also teaches courses in Native Hawaiian Law, Environmental Law, and Legal Research and Writing. As Ka Huli Ao’s director, Kapua directs all aspects of its program work, including student recruitment and retention, community outreach and education, and fund development. Her areas of scholarship and interest include Native Hawaiian law, Indigenous rights, and natural resource protection and management. Kapua is an Executive Editor, author of two chapters, and co-author of another chapter in *NATIVE HAWAIIAN LAW: A TREATISE*. Kapua is also the director of the Environmental Law Clinic, which is one of the Law School’s only live-client clinics that addresses both Native Hawaiian and environmental issues while also providing direct legal services to rural, Neighbor Island communities.

Prior to joining the faculty in 2007, Kapua spent nine years as an attorney in the Hawai‘i office of Earthjustice, a national, public interest environmental litigation firm. Given her special interest in empowering and supporting Kānaka Maoli culture and people, Kapua worked to preserve the resources necessary to perpetuate her culture by litigating state and federal cases under the Endangered Species Act, Clean Water Act, State Water Code, and various Hawai‘i environmental laws. Kapua developed a special interest in water law and worked on ground-breaking litigation on the Islands of O‘ahu, Hawai‘i, and Maui to return diverted stream flows to public trust and other community uses, including traditional Maoli agriculture and aquaculture. She remains Of Counsel at Earthjustice where she continues to work on water and other issues.

**Natasha Baldauf** was born and raised in Kailua, O‘ahu. After graduating from Kamehameha Schools in 2004, she received her Bachelor’s degree in psychology from Hawaii Pacific University in 2008 and her juris doctor from the University of Hawai‘i William S. Richardson School of Law in 2011 with a Native Hawaiian law certificate.

Prior to joining the Law Offices of Vladimir Devens LLC this year, Natasha served as a law clerk to the Honorable Lisa M. Ginoza of the State of Hawai‘i Intermediate Court of Appeals, and spent 10 years as an attorney at a prominent Honolulu boutique law firm focusing on complex real estate and commercial litigation where she advised clients and litigated proceedings in federal and state court, before administrative agencies and in alternative dispute resolution forums including numerous legal matters concerning iwi kūpuna, historic preservation, water and environmental law. Some of Natasha’s publications include *Iwi Kūpuna*, in *A TREATISE ON NATIVE HAWAIIAN LAW* (Univ. of Hawai‘i Press & Kamehameha Publishing) (MacKenzie, Serrano, & Sproat eds., 2015); *HO‘I HOU I KA IWI KUAMO‘O: A LEGAL PRIMER FOR THE PROTECTION OF IWI KUPUNA IN HAWAI‘I NEI*, (Ka Huli Ao Center for Excellence in Native Hawaiian Law, 2013); and *One-Way Track to Desecration: Implications of the Honolulu Rail’s Failure to Comply with Protections Mandated for Native Hawaiian Burials*, 12 *ASIAN-PAC. L. & POL’Y* J. 141 (2010).